

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

RICKY MUNEZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

HON. JEROME B. SIMANDLE

Civil No. 09-3860 (JBS)

[Criminal No. 06-499 (JBS)]

**ORDER**

This matter having come before the Court upon Petitioner's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255, [Civil No. 09-3860 Docket Item 1], on the grounds that he was denied effective assistance of counsel as guaranteed by the Sixth Amendment; the Court having considered the submissions of the parties in support thereof and opposition thereto and the evidence adduced at a hearing; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 20th day of **January, 2011**, hereby

ORDERED that Ground II of the Petition is **DENIED**, meaning that the entirety of the Petition has now been denied; and it is further

ORDERED that a Certificate of Appealability is **GRANTED** as to denial of § 2255 relief on Ground II and **DENIED** as to Grounds I and III.

s/ Jerome B. Simandle

JEROME B. SIMANDLE  
United States District Judge